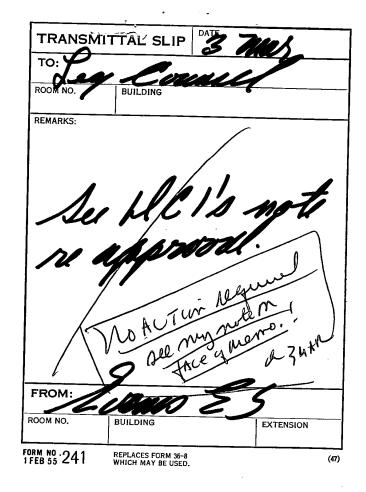
Approved For Release 2005/04/2010 Approved For Release 2005/04/2010 P81M00980R001700080B64-6: Regular OLC 78-0690/1 23 FEB 1978 MEMORANDUM FOR: Director of Cental Intelligence FROM Acting Legislative Counsel SUBJECT : Guidelines on Briefing Congressional Oversight Committees on Presidential Decisions REFERENCE : Paragraph 4 of Your Memorandum on Conversation with Dr. Brzezinski, dated 15 February 1978 1. Action Requested: Authorization for my Office to notify the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence that they will be briefed on PD-19 and subsequent Presidential decisions on intelligence by the NSC staff. 2. Background: Paragraph four of your memorandum of conversation with Dr. Brzezinski on 14 February contained the statement that you would inform the Committees that Dr. Brzezinski's staff would arrange to brief the two Select Committees on PD-19 and also contained the agreement that the NSC staff would brief the Committees on all Presidential decisions on intelligence. It is my assumption that you wish my Office to inform the Select Committees of this undertanding with the National Security Council. **ILLEGII** Recommendation: That you approve OLC's notifying the two Select Committees that the NSC staff will brief them on PD-19 and future Presidential decisions on intelligence. LEGIB 🖲 MAR 1978 Approval: ILLE Director of Central Intelligence date Disapproval: Director of Central Intelligence date ledse 2005/04/22 CTA-RDP81M00980R001700080064.6
een Notifico by Scale Pared to brief in Printer
That NSCA 1tt Bre pared to brief in Printer
Hosci has under A. pr.Release 2005/04/22 HPSCI ho un the A.G. LLA 3MA



	ROUTIN	G AND	RECOR	D SHEET
SUBJECT: (Optional)				
FROM:			EXTENSION	NO. 78 11.21.11
1 Acting Legislative C	ounsel			78-4636/1 DATE 24 FEB 1978
TO: (Officer designation, room number, and DATE				
building)	RECEIVED	FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from who to whom. Draw a line across column after each commen
1.	2 4 FE	160	(M)	I am requesting authorization for OLC to advise oversight
DDCI	1 2 LE	4/a\8		committees that they will be
2.				briefed on PD-19 and subsequen
	21			Presidential decisions on
3.	mid			intelligence by the NSC staff.
DCI V	101.70		151.	I assume this mode has been
4.	105.11	i)	7)/m	selected as an alternative to
			, ,	providing the document to the
				committees. However, I
5.				understand the Boland Committ
				is hardening its position and th
			mai	fl'
6.			Ę	PD-24 is also of interest.
				As I understand it, PD-19
7. 8.				implements electronic
				surveillance guidelines and, I
			<u> </u>	think, it would be hard to with-
				hold, from the oversight
				committees under a claim of
9.				Executive privilege. PD-24 is
				of a different nature as it
				contains instructions for
10.				negotiating positions. I believe concern should
				concentrate on the substance of
1.				the documents as well as their
				form. We can play the string
				out but, eventually, if push
2.				comes to shove, Lipshutz woul
				have to be on board as well as
3.	-			the Attorney General if
DC/ Commi	-		,	Executive privilege is asserted
				The bottom line of my
4.		ا. د	U. 1	recommendation is that denial
				of a document be reserved for
5.	· · ·			those instances where there is
	4		27 FEB	1810
	<u>'</u>		2.7 6	(over, please)

Approved For Release 2005/04/22 : CIA-RDP81M00980R001700080064-6

FEB 27 6 44 PM . 78

a reasonable expectation of winning.

I am not confident this is the case with PD-19. If we carry the message for you we are getting you into the middle of a very unclear situation. I don't want to hold up implementing your instructions, but want to let you know how I see it.

25X1